

STATE OF SOUTH CAROLINA

(Caption of Case)

Application of StarVox Communications, Inc. for a Certificate of Public Convenience and Necessary to Provide Resold and Facilities-Based Local Exchange and Interexchange Telecommunications Services in the State of South Carolina, for Flexible Regulation, and for Alternative Regulation

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET
NUMBER: 2007 - 365 - C

(Please type or print)

Submitted by: John J. Pringle, Jr.

SC Bar Number: 11208

Telephone: 803-343-1270

Fax: 803-799-8479

Other:

Address: Ellis, Lawhorne & Sims, PA

PO Box 2285

Columbia SC 29202

Email: jpringle@ellislawhorne.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other:

INDUSTRY (Check one)

- ☐ Electric
☐ Electric/Gas
☐ Electric/Telecommunications
☐ Electric/Water
☐ Electric/Water/Telecom.
☐ Electric/Water/Sewer
☐ Gas
☐ Railroad
☐ Sewer
☒ Telecommunications
☐ Transportation
☐ Water
☐ Water/Sewer
☐ Administrative Matter
☐ Other: _____

NATURE OF ACTION (Check all that apply)

- | | | |
|----------------------------------------------------|------------------------------------------------------------|----------------------------------------------------|
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Letter | <input type="checkbox"/> Request |
| <input type="checkbox"/> Agreement | <input type="checkbox"/> Memorandum | <input type="checkbox"/> Request for Certification |
| <input type="checkbox"/> Answer | <input checked="" type="checkbox"/> Motion | <input type="checkbox"/> Request for Investigation |
| <input type="checkbox"/> Appellate Review | <input type="checkbox"/> Objection | <input type="checkbox"/> Resale Agreement |
| <input type="checkbox"/> Application | <input type="checkbox"/> Petition | <input type="checkbox"/> Resale Amendment |
| <input type="checkbox"/> Brief | <input type="checkbox"/> Petition for Reconsideration | <input type="checkbox"/> Reservation Letter |
| <input type="checkbox"/> Certificate | <input type="checkbox"/> Petition for Rulemaking | <input type="checkbox"/> Response |
| <input type="checkbox"/> Comments | <input type="checkbox"/> Petition for Rule to Show Cause | <input type="checkbox"/> Response to Discovery |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Petition to Intervene | <input type="checkbox"/> Return to Petition |
| <input type="checkbox"/> Consent Order | <input type="checkbox"/> Petition to Intervene Out of Time | <input type="checkbox"/> Stipulation |
| <input type="checkbox"/> Discovery | <input type="checkbox"/> Prefiled Testimony | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Exhibit | <input type="checkbox"/> Promotion | <input type="checkbox"/> Tariff |
| <input type="checkbox"/> Expedited Consideration | <input type="checkbox"/> Proposed Order | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Interconnection Agreement | <input type="checkbox"/> Protest | |
| <input type="checkbox"/> Interconnection Amendment | <input type="checkbox"/> Publisher's Affidavit | |
| <input type="checkbox"/> Late-Filed Exhibit | <input type="checkbox"/> Report | |



ELLIS:LAWHORNE

John J. Pringle, Jr.
Direct dial: 803/343-1270
jpringle@ellislawhorne.com

January 17, 2008

FILED ELECTRONICALLY AND ORIGINAL VIA 1ST CLASS MAIL SERVICE

The Honorable Charles L.A. Terreni
Chief Clerk
South Carolina Public Service Commission
Post Office Drawer 11649
Columbia, South Carolina 29211

RE: Application of StarVox Communications, Inc. for a Certificate of Public Convenience and Necessary to Provide Resold and Facilities-Based Local Exchange and Interexchange Telecommunications Services in the State of South Carolina, for Flexible Regulation, and for Alternative Regulation
Docket No. 2007-365-C, ELS File No. 1345-11443

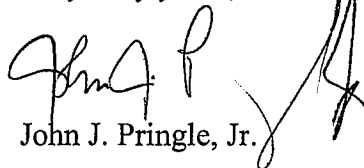
Dear Mr. Terreni:

Enclosed is the original and one (1) copy of the **Motion to Waive Statutory Deadlines** filed on behalf of StarVox Communications, Inc. in the above-referenced docket.

Please acknowledge your receipt of this document by file-stamping the copy of this letter enclosed, and returning it in the enclosed envelope.

If you have any questions or need additional information, please do not hesitate to contact me.

Very truly yours,


John J. Pringle, Jr.

JJP/cr

cc: Shealy Reibold, Esquire (via electronic mail service)
Catherine M. Hannon, Esquire (via electronic mail service)

Enclosures

THIS DOCUMENT IS AN EXACT DUPLICATE OF THE E-FILED COPY SUBMITTED TO THE COMMISSION IN ACCORDANCE WITH ITS ELECTRONIC FILING INSTRUCTIONS.

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2007-365-C

IN RE:

Application of StarVox
Communications, Inc. for a Certificate of
Public Convenience and Necessity to
Provide Resold and Facilities-Based
Local Exchange and Interexchange
Telecommunications Services in the
State of South Carolina, for Flexible
Regulation, and for Alternative
Regulation

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**MOTION TO WAIVE STATUTORY
DEADLINES**

StarVox Communications, Inc, ("StarVox"), by its attorneys, and without objection from the South Carolina Telephone Coalition ("SCTC") respectfully requests that the Commission grant a waiver of certain statutory deadlines in this Docket as follows:

BACKGROUND

1. StarVox filed its Application to provide resold and facilities-based local exchange and interexchange telecommunications services with the Commission on October 1, 2007.
2. The hearing in this docket was scheduled for Monday, January 7, 2008. StarVox requested a continuance of the hearing for sixty (60) days on January 2, 2008.
3. Pursuant to S.C. Code Annotated § 58-9-280(B), the 120-day statutory period for the Commission to hold its hearing and issue an order approving the application of StarVox runs on or about February 1, 2008.

4. This motion seeks a three month extension of that deadline to on or about May 1, 2008.

THE APPLICANT REQUESTS THAT THE THE “DEADLINE” BE EXTENDED

5. The Applicant requests that the Commission waive application of the 120 day deadline set forth in Section 58-9-280(B).

6. Waiver is appropriate in circumstances where no party opposes its application. The Applicant is comfortable with working beyond such a deadline and no party would be prejudiced by grant of a waiver, and in light of the circumstances described, waiver is clearly in the public interest.

7. Similarly, state and federal law gives parties the right to agree to waive any number of procedural and substantial rights. For example, parties may agree to waive their right to a jury trial. Parties may also enter into an agreement to toll a particular statute of limitations. In this case, waiver will take no substantial rights away from the parties. The Hearing Examiner and the Commission will still hear and decide the issues, just within an extended time frame.

WHEREFORE, StarVox, without objection from the SCTC, respectfully requests that the Commission issue an order granting this Motion, issue an order extending the statutory deadlines in the above-captioned proceedings for 3 months, until on or about May 1, 2008, and granting such other relief as is just and proper.

Respectfully submitted,

By: 

John J. Bringle, Jr.

ELLIS, LAWHORNE & SIMS, P.A.

1501 Main Street, Fifth Floor, P.O. Box 2285

Columbia, SC 29202

Tel. 803-254-4190/803-343-1270 (direct)

Fax 803-779-4749

jpringle@ellislawhorne.com

Attorneys for StarVox Communications, Inc.

Columbia, South Carolina
January 17, 2008